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PATENT 8.16.03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: John S. Patton

Atty Docket No.: 0002.12

Examiner: Unassigned

Application No. 09/577,264

Group Art Unit: 1653

Filed: May 22, 2000

Title: PULMONARY DELIVERY OF  
ACTIVE FRAGMENTS OF  
PARATHYROID HORMONE

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22310-1450 on May 06, 2003

Signed: Minna Cotten

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56, §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22310-1450

Dear Sir:

The references listed in the attached Form PTO/SB/08A, B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

Copies of the references are enclosed, as required under 37 CFR §§1.98

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

Attorney Docket No. 0002.12

☒ within three months of the filing date of a national application; within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or before the mailing date of a first Office action on the merits (whichever event occurs last);

☐ more than three months from the filing date of an application and after the mailing date of a first Office action on the merits, but before the mailing date of either a final action under section 1.113 or a notice of allowance under section 1.311 (whichever occurs first), and is accompanied by:

☐ the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00); or

☐ one of the following statements as specified in 37 CFR 1.97(e) that:

☐ each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement; or

☐ after the mailing date of either a final action under section 1.113 or a notice of allowance under section 1.311, but on or before the payment of the issue fee, and is accompanied by each of:

☐ the following petition:  
Applicant hereby requests consideration of the accompanying information disclosure statement;

☐ the petition fee set forth in 37 CFR 1.17(i) (\$130.00); and

☐ one of the following statements as specified in 37 CFR 1.97(e) that:

☐ each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ Each item of information contained within this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement. Accordingly, this Information Disclosure Statement does not constitute a failure on the part of the Applicant to engage in reasonable efforts to conclude prosecution of the application as set forth in 37 CFR 1.704 "Reduction of period of adjustment of patent term."

☐ Attached is Check No. \_ in the amount of \$0.

☐ Please charge the amount of \$\_\_\_ to Deposit Account 500348

☒ If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0348.

Respectfully submitted,

NEKTAR THERAPEUTICS  
(Formerly known as:  
INHALE THERAPEUTIC SYSTEMS, INC.)

Dated: May 6, 2003

By: Mark A. Wilson  
Mark Wilson  
Reg. No. 43,275

San Carlos, CA 94070  
(650) 631-3100

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Substitute for form 1449/PTO-100

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	09/577,264
Filing Date	05/22/2000
First Named Inventor	John S. Patton
Art Unit	1653
Examiner Name	Unknown
Attorney Docket Number	0002.12

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/D.L./	AA	HODSMAN ET AL., "Biochemical Responses to Sequential Human Parathyroid Hormone (1-38) and Calcitonin in Osteoporotic Patients," Bone and Mineral (1990), Vol. 9, p. 137-152.	
/D.L./	AB	HODSMAN ET AL., "Bone Densitometric and Histomorphometric Responses to Sequential Human Parathyroid Hormone (1-38) and Salmon Calcitonin in Osteoporotic Patients," Bone and Mineral (1991), Vol. 14, p. 67-83.	
/D.L./	AC	BEAUCAGE ET AL., "Deoxynucleoside Phosphoramidites - A New Class of Key Intermediates for Deoxypolynucleotide Synthesis," Tetrahedron Letters (1981), Vol. 22(2), p. 1859-1862.	
/D.L./	AD	HESCH ET AL., "First Clinical Observations with hPTH(1-38), a More Potent Human Parathyroid Hormone Peptide," Horm. Metabol. Res. (1984), Vol. 16, p. 559-560.	

Examiner Signature	/David Lukton/	Date Considered	07/21/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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